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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,578	09/29/2000	Deborah L. See	42390.P4487X	9018

7590 03/04/2004  
Sang Hui Michael Kim  
BLAKELY, SOKOLOFE, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

EXAMINER
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NGUYEN, THAN VINH

ART UNIT	PAPER NUMBER
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2187

DATE MAILED: 03/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/675,578

Applicant(s)

SEE ET AL.

Examiner

Than Nguyen

Art Unit

2187

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 11-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. This is a response to the Notice of Election and IS, filed 6/30/03.
2. Applicant's election without traverse of claims 1-10 in Paper No. 7 is acknowledged.
3. Claims 1-10 are presented for examination. Claims 11-15 are withdrawn from consideration.

### ***Information Disclosure Statement***

4. The information disclosure statement filed 6/30/03 fails to comply with 37 CAR 1.98(a)(1), which requires a list of all patents, publications, or other information submitted for consideration by the Office. It has been placed in the application file, but the information referred to therein has not been considered. Applicant indicated that a PTO-1449 was filed. However, this was not found in the IS, filed.

### ***Specification***

5. The abstract of the disclosure is objected to because the does not describe the invention as claimed. Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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Chiang teaches storing the data fragments using a sequence table indicative of an order and a location of the data and storing a header for each data fragment and the sequence table, wherein the header is located in a same block as the associated data fragment and sequence table, wherein within a given block the headers are stored contiguously proceeding from a first end to a second end of the block, wherein objects identified by the headers are stored contiguously proceeding from the second end to a first end of the given block (Figures 2,3).

***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Than Nguyen whose telephone number is (703) 305-3866. The examiner can normally be reached on M-F from 8:00 a.m. to 3:00 p.m. EST.
11. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.
12. The fax phone number for Art Unit 2187 is 703-308-9051 or 703-308-9052.



Than Nguyen

Primary Patent Examiner

February 27, 2004

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information about the size of the data to be stored and free space in the nonvolatile memory, and then storing the data (section 3)

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiang et al (Managing Flash Memory in Personal Communication Devices, 1997).

As to claims 6,7,8:

Although Chiang does not specifically disclose the claimed calculation step in determining whether to store the data in a single segment or multiple segments, he does teaches storing data in a single or multiple segments, depending on the data size (section 1, p. 177). There would have been obvious to one of ordinary skills in the art at the time of the invention that Chiang would have to perform the claimed calculation steps to determining whether or not to store the data as a single segment/instance, or in a plurality of segments that are fragments of the data.

As to claim 9,10:

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Chiang et al (Managing Flash Memory in Personal Communication Devices, 1997).

As to claim 1:

Chiang discloses the invention as claimed. Chiang teaches a method of storing objects in a nonvolatile memory where a first instance of an object is written to the memory and then a superseding second instance of the object is written to the nonvolatile memory without erasing the first instance (p. 177, col 2, par. 2; sect 3; Figure 1; Chiang calls this non-in-place updating).

As to claim 2:

Chiang teaches updating status information within the allocated space to reflect that the second instance supersedes the first instance (sect 3, par. 3).

As to claim 3:

Chiang teaches storing header information in with block (Fig .2).

As to claim 4:

Chiang teaches the nonvolatile memory is a flash memory (Sect 5, par. 1)

As to claim 5:

Chiang discloses the invention as claimed. Chiang teaches receiving data to be stored in a nonvolatile memory, selecting a storage structure (i.e. segment) to store the data in accordance to

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11

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